

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SPENCER MEYER, individually and on behalf of
those similarly situated,

Plaintiffs,

-against-

TRAVIS KALANICK and UBER
TECHNOLOGIES, INC.

Defendants.

1:15 Civ. 9796 (JSR)

ECF Case

**DECLARATION OF JAMES H. SMITH IN SUPPORT OF
PLAINTIFF'S REPLY MEMORANDUM OF LAW IN SUPPORT OF HIS
MOTION FOR RELIEF RELATED TO THE ERGO INVESTIGATION**

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James H. Smith, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am an attorney at McKool Smith, P.C., representing Plaintiff Spencer Meyer (“Plaintiff”) in the above-captioned case, and I make this declaration in support of Plaintiff’s Reply Memorandum of Law in Support of His Motion for Relief Related to the Ergo Investigation.

2. I am over eighteen years of age and have personal knowledge of the matters stated herein.

3. Attached to this declaration as Exhibit A is a true and correct copy of excerpts from the transcript of the June 23, 2016 deposition of Craig Clark. Uber Technologies, Inc. (“Uber”) has designated this document “Confidential” under the Protective Order entered on June 16, 2016 (“Protective Order”).

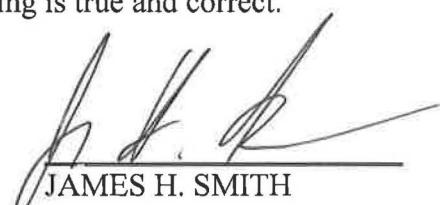
4. Attached to this declaration as Exhibit B is a true and correct copy of excerpts from the transcript of the June 23, 2016 deposition of Joseph Sullivan. Uber has designated this document “Confidential” under the Protective Order.

5. Attached to this declaration as Exhibit C is a true and correct copy of excerpts from the transcript of the June 22, 2016 deposition of Mathew Henley. Uber has designated this document “Confidential” under the Protective Order.

6. Attached to this declaration as Exhibit D is a true and correct copy of excerpts from the transcript of the June 15, 2016 deposition of Todd Egeland. Global Precision Research LLC d/b/a Ergo (“Ergo”) has designated this document “Confidential” under the Protective Order.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 8, 2016



JAMES H. SMITH